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Mailed: 10 June 1999

Attorney Docket No.: 3220-64308

## DECLARATION AND POWER OF ATTORNEY - PATENT APPLICATION

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought in the application entitled:

BIOMATERIAL DERIVED FROM VERTEBRATE LIVER TISSUE

specification of which

(check one)

is attached hereto

XX was filed on 10 December 1997

United States Application Serial No. as

PCT International Application No. PCT/US97/22727 or

and was amended on 27 November 1998

(if applicable)

I hereby declare that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

60/032,680  
Application Number(10.12.96)  
10 December 1996  
Filing Date

Application Number

Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(b) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status-patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status-patented, pending, abandoned)

I hereby appoint William R. Coffey, Reg. No. 24023; Richard D. Conard, Reg. No. 27321; Steven R. Lammert, Reg. No. 27653; Richard A. Rezek, Reg. No. 30796; Timothy E. Niednagel, Reg. No. 33266; Jill L. Woodburn, Reg. No. 39874; Nancy J. Harrison, Reg. No. 27083; R. Trevor Carter, Reg. No. 40549; Dilip A. Kulkarni, Reg. No. 27510; David B. Quick, Reg. No. 31993; Jill T. Powlick, Reg. No. 42088; Steven A. Church, Reg. No. 43550; Norman J. Hedges, Reg. No. 44151; Perry Palan, Reg. No. 26213; Mark M. Newman, Reg. No. 31472; Bobby B. Gillenwater, Reg. No. 31105; Paul B. Hunt, Reg. No. 37154;

Michael S. Gzybowski, Reg. No. 32816; Gerard T. Gallagher, Reg. No. 39679; Robert D. Null, Reg. No. 40746; Alice O. Martin, Reg. No. 35601; and Gregory S. Cooper, Reg. No. 40965, as attorneys of record with full power of substitution and revocation, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith, and I specify that communications regarding the application be directed to:

BARNES & THORNBURG  
11 South Meridian Street  
Indianapolis, Indiana 46204  
Telephone (317) 236-1313

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Stephen F. BADYLAK

Full Name of Sole or First Joint Inventor

Stephen F. Badylak  
Inventor's Signature

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Second Inventor's Signature

Residence and Post Office Address

Full Name of Third Joint Inventor, if any

Third Inventor's Signature

Residence and Post Office Address

Full Name of Fourth Joint Inventor, if any

Inventor's Signature

Residence and Post Office Address

United States of America (US)

Country of Citizenship

06-08-99 JUNE 8, 1999  
Date

Country of Citizenship

Date

Country of Citizenship

Date

Country of Citizenship

Date

Additional inventors to be similarly identified on attached sheet.

# BARNES & THORNBURG

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: Unknown

Confirmation No.: Unknown

Application No.: Unknown

Invention: BIOMATERIAL DERIVED FROM  
VERTEBRATE LIVER TISSUE

Applicants: Stephen F. Badylak

Filed: February 10, 2004

Attorney

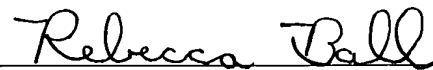
Docket: 3220-74469

Examiner: Unknown

### Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

on February 10, 2004

  
(Signature)

Rebecca L. Ball  
(Printed Name)

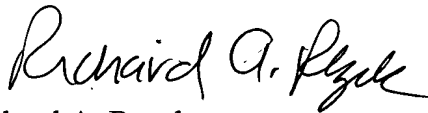
### ASSOCIATE POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

I, Richard A. Rezek, Registration No. 30,796, hereby appoint Rebecca L. Ball, Registration No. 46,535, as an associate attorney in the above-identified application, with power to prosecute this application, to make alterations and amendments therein, and to transact business in the Patent and Trademark Office connected therewith.

Respectfully submitted,



Richard A. Rezek  
Registration No. 30,796  
Attorney for Applicants

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